

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA  
FOURTH DIVISION

Randall Wayne Enyeart,  
Petitioner,

Civil No. 05-941 MJD/AJB

v.

Gregory L. Webster,  
Respondent.

**ORDER**

Based upon the Report and Recommendation by United States Magistrate Judge Arthur J. Boylan dated November 9, 2005, with all the files and records, and no objections having been filed to said Recommendation, **IT IS HEREBY ORDERED** that Randall Wayne Enyeart's Petition pursuant to 28 U.S.C. § 2254 for Writ of Habeas Corpus [Docket No. 1] is **dismissed without prejudice**.

Dated: December 5, 2005

Michael J. Davis  
Michael J. Davis  
United States District Court Judge